

## **Document 2**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA

RYAN JAY PETTEY,  
Petitioner,

v.

JAMES SHERMAN, WARDEN,  
Respondent.

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:  
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:  
:  
:

Civil Action No. 05-131 (Erie)

DECLARATION OF PENNY J. LUNDGREN

I, Penny J. Lundgren, make the following declaration under penalty of perjury:

1. I am the Inmate Systems Manager for the Federal Bureau of Prisons, Federal Correctional Institution (FCI), McKean, Pennsylvania (FCI McKean). I have been employed by the Federal Bureau of Prisons since approximately July 30, 1989, and I have been employed at my present position since approximately August 16, 1998. My official duties include the overall supervision of the computation of federal sentences for federal inmates incarcerated at FCI McKean. Through my official duties, I have access to records that are maintained in the ordinary course of business at FCI McKean, and I am familiar with the Bureau of Prisons policies and procedures pertaining to the computation of federal sentences.

2. I have reviewed the records maintained in the Judgment and Commitment (J&C) file of federal inmate Ryan Jay Petty, Register Number, 10698-040, which is maintained in the ordinary course of business at FCI McKean, including but not limited to, his federal Presentence Investigation Report (PSR), the federal Judgment and Commitment Orders issued for criminal Case Number 1:01-CR-218-03 (WDMI), and the United States Marshals Form 129, for inmate Ryan Jay Petty, Reg. No. 10698-040;

3. Based on my review of inmate Petty's J&C file, I have determined the following:

- a. On or about August 7, 2000, Petitioner Petty was arrested by state authorities, and held without bond pursuant to state criminal charges. PSR, p. 14, ¶ 56;

- b. On or about November 21, 2000, Petitioner was sentenced in Michigan state court to a 14 to 240 month term of imprisonment for Possession with Intent to Deliver 1-50 grams cocaine. PSR, p. 14, ¶ 56;
- c. Inmate Pettey was scheduled to be paroled on September 26, 2001; however, his parole was suspended due to federal offense that is the basis for his current federal incarceration; PSR, p. 14, ¶ 56;
- d. On or about September 25, 2001, the Michigan Department of Corrections, Parole Board suspended Petitioner's state parole date. The decision to suspend state parole was based upon information received from the FBI indicating that a federal investigation was pending regarding Petitioner's involvement in federal criminal activities. Michigan Department of Corrections Parole Board Notice of Decision, dated September 25, 2001.
- e. On February 4, 2002, a Superseding Information was filed in the United States District Court for the Western District of Michigan charging Ryan Jay Pettey with Interstate Travel in Aid of Racketeering, in violation of 18 U.S.C. §§ 1952(a)(3) and 2. The Information charged that on or about June 1997 through and including August 2000, Ryan Jay Pettey aided, abetted, and caused others to travel in interstate commerce between the Western District of Michigan and Chicago, Illinois, with the intent to promote, manage, establish, carry on, and facilitate an unlawful activity, to wit: the conspiracy to distribute and possess with intent to distribute cocaine and 100 or more kilograms of marijuana, in violation of 21 U.S.C. §§ 846 and 841(a)(1). Thereafter, he aided, abetted, and caused others to perform acts to promote, manage, establish, carry on, and facilitate and unlawful activity in that he aided abetted and caused others to travel between the Western District of Michigan and Chicago to obtain cocaine and marijuana for distribution in Grand Rapids, Michigan, and elsewhere. PSR, p. 3, ¶ 2.
- f. On October 25, 2001, while Petitioner was serving his state sentence, he was "borrowed" by federal authorities pursuant to the federal writ of habeas corpus ad prosequendum. United States Marshals Service Form 129, at p. 2.
- g. On May 3, 2002, Petitioner pleaded guilty to the superceding information. PSR, at p. 3, ¶ 2.
- h. On or about August 15, 2002, Petitioner was sentenced by the United States District Court for the Western District of Michigan to a 60 month term of imprisonment for Interstate Travel in Aid of Racketeering, 18 U.S.C. §§ 1952(a)(3) and 2. The Court directed Petitioner's federal sentence be served consecutively to the state sentence imposed under Michigan State Court Docket Number 00-08520. Federal Judgment and Commitment Order, dated August 15, 2002.

- I. On or about August 20, 2002, Petitioner's federal sentence was amended to reflect that following service of his 60 month federal sentence, Petitioner would serve a three year term of supervised release. Amended Federal Judgment and Commitment Order, dated August 20, 2002.
- j. On or about August 22, 2002, Petitioner was returned to the custody of Michigan State authorities in satisfaction of the federal writ of habeas corpus ad prosequendum. USMS form 129, at p. 2.
- k. On September 22, 2003, Petitioner was again borrowed from state authorities, this time pursuant to a federal writ of habeas corpus ad testificandum. He remained on federal writ until October 6, 2003, when he was returned to state authorities in satisfaction of the federal writ. USMS Form 129, at p. 2.
- l. On November 6, 2003, Petitioner was once more borrowed by federal authorities via federal writ of habeas corpus ad testificandum, and he remained on federal writ until November 28, 2003, when he was returned to state authorities in satisfaction of the federal writ. USMS Form 129, at p. 2.
- m. On March 5, 2004, Petitioner Pettey was paroled from his state sentence to a federal detainer. USMS Form 129, at p. 2.

4. Inmate Pettey's federal sentence was computed pursuant to the federal sentencing statute, 18 U.S.C. § 3585, which governs the computation for all federal sentences based upon offenses committed on or after November 1, 1987. Inmate Pettey's federal sentence was computed as commencing March 5, 2004, the date he was paroled by the Michigan Department of Corrections. He was not awarded any prior custody credit, because all time served in official detention prior to the commencement of his federal sentence was credited against the sentence imposed by the State of Michigan pursuant to his state criminal conviction in Michigan v. Ryan Jay Pettey, Case Number 00-08520-FH, Michigan, 17<sup>th</sup> Jud. District. Assuming he receives all Good Conduct Time available to him under 18 U.S.C. § 3624(b), his projected release date is July 12, 2008.

5. I am aware that or about October 18, 2004, Petitioner submitted a Request for Administrative Remedy, in which he challenged the computation of his prior custody credit. He argued that all time served in state prison after September 26, 2001, was due a request for a hold issued by the FBI. He

argued that the information received from the FBI, his state sentence was extended by two and one half years, and under 18 U.S.C. § 3686, he is entitled to credit against his federal sentence for this time.

In a response dated November 9, 2004, the Warden of FCI McKean denied Petitioner's request. It was explained that although he had a state parole date of September 26, 2001, the Michigan Parole Board exercised its discretion to reconsider/suspend his parole date. It was explained the federal charges alone did not cause Petitioner to be held beyond his state maximum term of 20 years. In his case, the state parole board considered the seriousness of the federal criminal offenses for which Petitioner was charged.

6. Prior custody credit is governed by 18 U.S.C. § 3585(b), which prohibits the award of prior custody credit for time that has been credited against any other sentence. In this case, because the time Petitioner seeks to have credited as prior custody credit was credited against his state sentence, this time does not qualify as federal prior custody credit. 18 U.S.C. § 3585(b).

7. Prior to the November 1, 1987 effective date of the Sentencing Reform Act of 1984, federal sentence computations were governed by 18 U.S.C. § 3568. Unlike 18 U.S.C. § 3585(b), Section 3568 did not contain a provision which prohibited the Attorney General from treating time credited against other sentences as federal jail time credit.

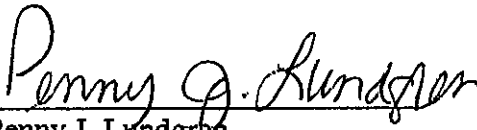
8. Attached hereto, please find true and correct copies of the following records, which are maintained in the ordinary course of business at FCI McKean:

- a. Request for Hold/Notification, dated September 13, 2001;
- b. Parole Board Notice of Decision, dated September 25, 2001;
- c. United States Marshals Service Form 129 for inmate Ryan Jay Pettey, Reg. No. 10698-040 (names of individuals other than inmate Pettey redacted);
- d. Judgment and Commitment order, United States v. Ryan Jay Pettey, 1:01-CR-218-03 (WDMI), dated August 15, 2002 (Statement of Reasons redacted); and

- e. Amended Judgment and Commitment order, United States v. Ryan Jay Pettey, 1:01-CR-218-03 (WDMI), dated August 20, 2002 (Statement of Reasons redacted).

I declare the foregoing is true and correct to the best of my knowledge and belief, and is given under penalty of perjury pursuant to 28 U.S.C. § 1746.

Executed this      day of June, 2005

  
Penny J. Lundgren  
INMATE SYSTEMS MANAGER  
Federal Correctional Institution,  
McKean, Pennsylvania

## **Document 2a**

PAGE A

## Request for Hold/Notification

A law enforcement agency holding a warrant for a MDOC prisoner shall notify the institution where the prisoner is housed of the pending charges. Prisoner number and/or location can be obtained via LEIN. If the number and/or location of a prisoner is unknown, call Central Office Records Information (517) 373-0284 from 8 A.M. - 5 P.M. Monday - Friday; After hours and on week-ends — State Prison; Southern Michigan Information Desk (517) 730-6000.

(Please print or type all applicable information.)

MDOC PRISONER NAME: PETTEY RYAN JAY PRISONER NUMBER: 246691  
 (AKA \_\_\_\_\_) SID NUMBER: \_\_\_\_\_  
 NEXT POSSIBLE COURT ACTION/DATE: \_\_\_\_\_ DOCKET/COURT #: \_\_\_\_\_  
 PENDING FELONY CHARGE (ATTACH COPY OF WARRANT): \_\_\_\_\_  
 PENDING FELONY INVESTIGATION: ~~THANK~~ DRUG RING & MURDERS  
 REQUESTING LAW ENFORCEMENT AGENCY: FBI  
 ORI CONTACT NUMBER: \_\_\_\_\_ COMPLAINT NUMBER: \_\_\_\_\_  
 STREET ADDRESS: PO BOX 924 PHONE #: 231-946-7201  
 CITY: TRAVERSE CITY ZIP: 49684  
 CONTACT PERSON: ROBERT BIRDSONG TITLE: SPEC. AGENT

Date of Notification: 9-13-01

Written notice of a prisoner's release will be provided if time permits. If time does not permit, telephone notice with follow-up via LEIN will be provided.

Additional information may be requested by the Department.

NAME OF PERSON COMPLETING FORM: K SPANBURG DATE: 9-13-01  
 (Please Print)  
per TX from G. Gomery at YOR.

## MDOC USE ONLY

Date Received: 9-13-01 Received by: K SPANBURG  
 Date entered on CMIS: 9-13-01 Entered by: K SPANBURG  
 Disposition of Charge: \_\_\_\_\_ Date: \_\_\_\_\_

## **Document 2b**

Name: PETTEY RYAN JAY	Number: B246691	Location: YGR	Mailed: 09/26/2001
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The Michigan Parole Board, is exercising its right to reconsider a prior decision issued by the Parole Board, through the following action:

Decision Date: 09/25/2001	Action: Suspend	Prior Action: <i>P61 24 9-26-01</i> Parole With Interview dated: 05/29/2001
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☒ The Parole Board is suspending the parole action pursuant to MCLA 791.236(2), to consider information received by the Parole Board after the original parole release decision. Following is a summary of the new evidence that is the basis for reconsideration:

The Parole Board was notified FBI, Traverse City lodged felony suspect charges for Major Drug Ring and Several Murders, docket unknown. Due to this information, suspend and list.  
jab

## **Document 2c**

DATE: 02/19/2004 TIME: 16:03 PAGE: 1

UNITED STATES MARSHALS SERVICE  
PRISONER TRACKING SYSTEM  
WESTERN MICHIGAN  
DISTRICT: 40 OFFICE: GRA

## INDIVIDUAL CUSTODY AND DETENTION REPORT USM (129)

NAME: PETTEY, RYAN JAY  
USMS NUMBER: 10698040

## I. IDENTIFICATION DATA:

USMS NBR: 10698040 NAME: PETTEY, RYAN JAY

ADDRESS: 11236 SHANER ROCKFORD, MI 49341

PHONE: 616-866-4996

DOB: 04/25/1969 AGE: 34 POB: HASTINGS, MI SEX: M RACE: W HAIR: BRO EYE: BRO HEIGHT: 510 WEIGHT: 180

SSN: 370-96-0793 FBI NBR: ALIEN NBR:

## OTHER NUMBER

## OTHER NUMBER TYPE

MDOC: 246691

PRISON NUMBER

SID: 1391094T

ST NUMBER - (SID)

PID: 60611

OTHER

## \*\*\*\*\*SPECIAL HANDLING CODE:

## SPECIAL HANDLING REMARKS:

MEDICAL

SUBJECT STATES HE IS NOT SUICIDAL

MEDICAL

PER NEWAYGO: NEGATIVE FOR TB 10/29/01

MEDICAL

POSITIVE HEPATITIS C

## DETAINEE/DATE ACTIVE AGENCY

## REMARK

11/06/2001 N MICHIGAN DEPT OF CORRECTIONS

C.R. CORRECTIONS CENTER 616-459-3475 EX121 CALIEN

## PRISONERS ALIASES:

## ALIAS REMARKS:

RJ,

## GENERAL REMARKS:

10/25/2001 PICKED UP ON WRIT FROM INGHAM COUNTY

JAIL (IA SCHEDULED FOR 11/01/01)-PROCESSED

11/01/01 IA B4 BRENN, DETAINED 7PK

11/05/01 IPTC COMP, DET HRG WAIVED B4 BRENN, 7PK

2/4/02 APR B4 BRENN, 7PK

5/3/02 PLEA B4 BELL, 7PK

05/24/02 TF TO VAN BUREN

8/9/02 TRANSFERRED FROM VANBUREN TO NEWAYGO CO.

9/15/02 SENTENCED B4 BELL - 60 MOS BOP, 3 YRS SR,

\$100 SA - REMANDED - TF 7PK

08/22/02 RETURNED TO INGHAM CO, BEING HOUSED THERE

AS A CONTRACT FACILITY FOR MDOC

09/22/03 TF TO KENT CO FROM RIVERSIDE ON A WHCAT

09/30/03

10/06/03 DUSMS RETURNED TO RIVERSIDE CORR FACILITY

10/21/03 REC'D WRIT RELEASE FROM AUSA

10/26/03 RETURNED TO RIVERSIDE BY DUSMS (KL-WHCAT)

DATE: 03/19/2004 TIME: 16:03 PAGE: 2

UNITED STATES MARSHALS SERVICE  
PRISONER TRACKING SYSTEM  
WESTERN MICHIGAN  
DISTRICT: 40 OFFICE: GEA

INDIVIDUAL CUSTODY AND DETENTION REPORT USM (129)

NAME: FETTEY, RYAN JAY  
USMS NUMBER: 10696040

11/06/03 TP FROM RIVERSIDE CORR PAC TO 7PK ON A  
11/10/03  
11/16/03  
11/19/03 REC'D WRIT RELEASE FROM ASUA  
11/28/03 RETURNED TO RIVERSIDE CORR PAC (RL-WHCAT)  
03/05/04 PAROLED FROM RIVERSIDE - TP TO BLOCK BY  
DUSMS TO BEGIN SERVING FEDERAL TIME -  
REQUESTED DESIGNATION- SENT TO CCM

II. CASE INFORMATION:

CTR	STATUS	COURT CASE NUMBER	FEDERAL COURT CITY
1	WT-DESIG	101 CR 218	GRAND RAPIDS
0	RL-WHCAT	1:01-CR-218	GRAND RAPIDS
0	RL-WHCAT	1:01:CR:218	GRAND RAPIDS

CTR	JUDGE NAME	US ATTORNEY NAME	DEFENSE ATTORNEY NAME
1	BELL, ROBERT	VERHEY, TIMOTHY	FEARER, PEDRO

CTR	ARREST DATE	ARRESTING AGENCY	LOCATION OF ARREST	WARRANT NUMBER
1	10/25/2001	FEDERAL BUREAU OF INVESTIGATION	INGHAM COUNTY JAIL	1:01CR218

CTR	OFFENSE	OFFENSE REMARK	DISPOSITION
1	(3533) COCAINE		GUILTY (PLEA)
1	(3564) MARIJUANA		GUILTY (PLEA)

CTR	SENTENCE DATE	SENTENCE	APPEAL DATE
1	08/15/2002	60 MOS BCP, 3 YRS SR, \$100 SA - REMANDED - TP 7PK	**/**/****

III. STATUS HISTORY

CTR	STATUS	STATUS DATE	CUSTODY DATE	RELEASE DATE	REMARK
1	WHCAP	10/25/2001	10/25/2001	**/**/****	P/U FROM INGHAM COUNTY JAIL
1	RL-WHCAP	08/22/2002	**/**/****	08/22/2002	DROPPED AT INGHAM CO W/DETAINER
1	READMIT	03/05/2004	03/05/2004	**/**/****	PAROLED FROM RIVERSIDE
1	WT-DESIG	03/05/2004	**/**/****	**/**/****	
0	WHCAT	09/22/2003	09/22/2003	**/**/****	
0	RL-WHCAT	10/06/2003	**/**/****	10/06/2003	
0	WHCAT	11/06/2003	**/**/****	**/**/****	
0	RL-WHCAT	11/28/2003	**/**/****	11/28/2003	

IV. CHRONOLOGICAL PRISONER HISTORY

INST	ADMIT	RELEASE	DAYS	ACTION OR
CODE	INSTITUTION NAME	DATE	DATE	BOARDED DISPOSITION
7PK	NEWAYGO COUNTY	10/25/2001	05/24/2002	211 DETAINED ON WRIT

DATE: 03/19/2004 TIME: 16:03 PAGE: 1

UNITED STATES MARSHALS SERVICE  
PRISONER TRACKING SYSTEM  
WESTERN MICHIGAN  
DISTRICT: 40 OFFICE: ORA

INDIVIDUAL CUSTODY AND DETENTION REPORT USM (129)

NAME: PETTEY, RYAN JAY  
USMS NUMBER: 10698040

7LW	VANBUREN COUNTY JAIL	05/24/2002	08/09/2002	77
7PK	NEWAYGO COUNTY	08/09/2002	08/22/2002	13
SQC	KENT CO JAIL	09/22/2003	10/08/2003	14
7PK	NEWAYGO COUNTY	11/06/2003	11/28/2003	22
7PK	NEWAYGO COUNTY	03/05/2004	**/**/****	14

TOTAL DAYS BOARDED 351

V. MEDICAL CONDITION/TREATMENT HISTORY

DATE	SERVICE PROVIDED	VENDOR	SERVICE PROVIDED
11/09/2001		NEWAYGO CO JAIL	RX: NAPROXEN 500MG TABLETS
04/04/2002		NEWAYGO CO JAIL	RX: AMOXICILLIN 500 MG CAPSULES
05/02/2002		NEWAYGO CO JAIL	RX: TRIPLE ANTIBIOTIC OINTMENT

THIS INFORMATION IS THE PROPERTY OF THE U.S. MARSHALS SERVICE AND SHALL NOT  
BE PUBLICLY RELEASED OR DISSEMINATED WITHOUT U.S. MARSHALS SERVICE AUTHORITY.

\*\*\*\*\* END OF REPORT \*\*\*\*\*

## **Document 2d**

# United States District Court

## Western District of Michigan

UNITED STATES OF AMERICA

v.

RYAN JAY PETTEY

**JUDGMENT IN A CRIMINAL CASE**

(For Offenses Committed On or After November 1, 1987)

Case Number: 1:01-CR-218-03

Pedro Ferrer  
Defendant's Attorney

Certified as a True Copy  
Ronald C. Weston, Jr., Clerk  
U.S. District Court  
Western Dist. of Michigan  
Date 8/15/02

**THE DEFENDANT:**

- ☒ pleaded guilty to a 1-Count Superseding Information.
- ☐ pleaded nolo contendere to Count(s) which was accepted by the court.
- ☐ was found guilty on Count(s) after a plea of not guilty.

Accordingly, the court has adjudicated that the defendant is guilty of the following offenses:

Title & Section	Date Offense Concluded	Count Number(s)
18 U.S.C. §§ 1952(a)(3) and 2	8/31/00	1

Nature of Offense:

Interstate Travel in Aid of Racketeering

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on Count(s).
- ☒ Superseding Indictment is dismissed on the motion of the United States.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Judgment: August 15, 2002

Defendant's Soc. Sec. No.: 370-96-0793  
Defendant's Date of Birth: April 25, 1969  
Defendant's US Marshal's No.: 10698-040

Defendant's Address:  
11238 Shaner Street  
Rockford, MI 49341

DATED: August 15, 2002

HON. ROBERT HOLMES BELL  
CHIEF UNITED STATES DISTRICT JUDGE

RECEIVED  
02 AUG 16 PM 12:21  
GRAND RAPIDS, MICH.

AO 245B (Rev. 3/01) Sheet 2 Imprisonment

Judgment--Page 2 of 6

Defendant: RYAN JAY PETTEY

Case Number: 1:01-CR-218-03


### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **sixty (60) months**. The sentence shall be served consecutively to the sentence of the 17<sup>th</sup> Circuit Court of Grand Rapids, Michigan, under docket number 00-08520-FH.

- ☐ The court makes the following recommendations to the Bureau of Prisons:
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district
- ☐ at     a.m./p.m. on    .
  - ☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons.
- ☐ before 2 p.m. on    .
  - ☐ as notified by the United States Marshal.
  - ☐ as notified by the Probation or Pretrial Services Office.

### RETURN

I have executed this judgment as follows:

*Dec 1st 6 28-04* 

Defendant delivered on 7/1/04 to FCI MCK  
*pk*

with a certified copy of this judgment.

  
United States Marshal

By \_\_\_\_\_  
Deputy United States Marshal

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

*For offenders qualifying for collection of a DNA sample pursuant to Section 3 of the DNA Analysis Backlog Elimination Act of 2000:*

- ☐ The defendant shall cooperate in the collection of DNA as directed by their probation officer.

*For offenses committed on or after September 13, 1994:*

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests within 60 days.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse.

*For offenders convicted of a domestic violence crime defined in 18 U.S.C. § 3561(b):*

- ☐ The defendant shall attend a public, private, or private nonprofit offender rehabilitation program that has been approved by the court, in consultation with a State Coalition Against Domestic Violence or other appropriate experts, if an approved program is available within a 50 mile radius of the legal residence of the defendant.

*For offenders described in 18 U.S.C. § 4042(c)(4) who committed offenses after November 26, 1998:*

- ☐ The defendant shall report the address where they will reside and any subsequent change of residence to the probation officer responsible for supervision, and shall register as a sex offender in the state where the defendant resides, is employed, carries on a vocation, or is a student.

- ☒ The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court and shall also comply with the special conditions of supervision set forth on the attached page(s).

**STANDARD CONDITIONS OF SUPERVISION**

1. the defendant shall not leave the judicial district without the permission of the court or probation officer;
2. the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. the defendant shall support his or her dependents and meet other family responsibilities;
5. the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. the defendant shall notify the probation officer at least fifteen days prior to any change in residence or employment;
7. the defendant shall refrain from use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
10. the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
11. the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12. the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

**SPECIAL CONDITIONS OF SUPERVISION**

1. The defendant shall participate in a program of testing and treatment for substance abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer, and shall pay at least a portion of the cost according to his ability as determined by the probation officer.
2. The defendant shall refrain from all use of alcoholic beverages.
3. The defendant must maintain legitimate, verifiable full-time employment, as approved by the probation officer, or must be actively searching for employment.
4. The defendant shall not associate with anyone using, possessing, or having been convicted of possessing controlled substances, nor with any ex-felons, without first obtaining the permission of the probation officer.

AO 245B (Rev. 3/01) Sheet 5, Part A - Criminal Monetary Penalties  
 Judgment--Page 5 of 6  
 Defendant: RYAN JAY PETTEY  
 Case Number: 1:01-CR-218-03

### CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS:	\$100.00	\$300.00	\$

- ☐ The determination of restitution is deferred until \_\_\_\_\_. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.
- ☐ The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid in full prior to the United States receiving payment.

<u>Name of Payee</u>	<u>* Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
	\$	\$	

TOTALS	\$	\$
--------	----	----

- ☐ If applicable, restitution amount ordered pursuant to plea agreement \$\_\_\_\_\_
- ☐ The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- ☒ The court determined that the defendant does not have the ability to pay interest, and it is ordered that:
- ☒ the interest requirement is waived for the ☒ fine and/or ☐ restitution.
- ☐ the interest requirement for the ☐ fine and/or ☐ restitution is modified as follows:

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

### SCHEDULE OF PAYMENTS

\* Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☒ Lump sum payment of \$ \$100.00 due immediately, balance due
- ☒ not later than the term of defendant's supervised release, at a rate of \$10.00 per month, or
- ☐ in accordance with ☐ C, ☐ D, or ☐ E below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ E below); or
- C ☐ Payment in \_\_\_\_\_ (e.g., equal, weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in \_\_\_\_\_ (e.g., equal, weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the Clerk of the Court, 399 Federal Building, 110 Michigan, NW, Grand Rapids, Michigan 49503, unless otherwise directed by the court, the probation officer, or the United States attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- ☐ Joint and Several

Defendant Name, Case Number, and Joint and Several Amount:

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.

## **Document 2e**

United States District Court  
Western District of Michigan

UNITED STATES OF AMERICA

v.

RYAN JAY PETTEY

AMENDED JUDGMENT IN A CRIMINAL CASE  
(For Offenses Committed On or After November 1, 1987)

Case Number: 1:01-CR-218-03

Pedro Ferrer  
Defendant's Attorney

Date of Original Judgment: August 15, 2002

THE DEFENDANT:

- ☒ pleaded guilty to a 1-Count Superseding Information.
- ☐ pleaded nolo contendere to Count(s) which was accepted by the court.
- ☐ was found guilty on Count(s) after a plea of not guilty.

Accordingly, the court has adjudicated that the defendant is guilty of the following offenses:

Title & Section	Date Offense Concluded	Count Number(s)
18 U.S.C. §§ 1952(a)(3) and 2	8/31/00	1

Nature of Offense:

Interstate Travel in Aid of Racketeering

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on Count(s).
- ☒ Superseding Indictment is dismissed on the motion of the United States.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No.: 370-96-0793  
Defendant's Date of Birth: April 25, 1969  
Defendant's US Marshal's No.: 10698-040

Defendant's Address:  
11238 Shaner Street  
Rockford, MI 49341

DATED: August 30, 2002

HON. ROBERT HOLMES BELL  
CHIEF UNITED STATES DISTRICT JUDGE

FILED - CR  
02 AUG 20 PM 3:47  
U.S. DISTRICT COURT  
WESTERN DISTRICT MICH  
By [Signature]  
Deputy Clerk  
U.S. District Court  
Western Dist. of Michigan  
Date 8/4/04  
Certified as a True Copy  
Ronald C. Weston, Sr., Clerk

7 30-04 616-456-2021  
Verified with Man. Clerk  
to Judge Bell. Added Superseding

[Signature], LIE

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Judgment--Page 2 of 6  
Defendant: RYAN JAY PETTEY  
Case Number: 1:01-CR-218-03

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of sixty (60) months. The sentence shall be served consecutively to the sentence of the 17<sup>th</sup> Circuit Court of Grand Rapids, Michigan, under docket number 00-08520-FH.

- ☐ The court makes the following recommendations to the Bureau of Prisons:
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district
- ☐ at    a.m./p.m. on
  - ☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons.
- ☐ before 2 p.m. on
  - ☐ as notified by the United States Marshal.
  - ☐ as notified by the Probation or Pretrial Services Office.

### RETURN

I have executed this judgment as follows:

Defendant delivered on 7/1/05 to FCI McKean  
Beach, PA

with a certified copy of this judgment.

Jane F. Shum Wash  
United States Marshal

By [Signature]  
Deputy United States Marshal

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of **three (3) years**. \*\*

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

*For offenders qualifying for collection of a DNA sample pursuant to Section 3 of the DNA Analysis Backlog Elimination Act of 2000:*

- ☐ The defendant shall cooperate in the collection of DNA as directed by their probation officer.

*For offenses committed on or after September 13, 1994:*

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests within 60 days.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse.

*For offenders convicted of a domestic violence crime defined in 18 U.S.C. § 3561(b):*

- ☐ The defendant shall attend a public, private, or private nonprofit offender rehabilitation program that has been approved by the court, in consultation with a State Coalition Against Domestic Violence or other appropriate experts, if an approved program is available within a 50 mile radius of the legal residence of the defendant.

*For offenders described in 18 U.S.C. § 4042(c)(4) who committed offenses after November 26, 1998:*

- ☐ The defendant shall report the address where they will reside and any subsequent change of residence to the probation officer responsible for supervision, and shall register as a sex offender in the state where the defendant resides, is employed, carries on a vocation, or is a student.
- ☒ The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court and shall also comply with the special conditions of supervision set forth on the attached page(s).

Judgment--Page 4 of 6  
Defendant: RYAN JAY PETTEY  
Case Number: 1:01-CR-218-03

### STANDARD CONDITIONS OF SUPERVISION

1. the defendant shall not leave the judicial district without the permission of the court or probation officer;
2. the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. the defendant shall support his or her dependents and meet other family responsibilities;
5. the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. the defendant shall notify the probation officer at least fifteen days prior to any change in residence or employment;
7. the defendant shall refrain from use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
10. the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
11. the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12. the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

### SPECIAL CONDITIONS OF SUPERVISION

1. The defendant shall participate in a program of testing and treatment for substance abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer, and shall pay at least a portion of the cost according to his ability as determined by the probation officer.
2. The defendant shall refrain from all use of alcoholic beverages.
3. The defendant must maintain legitimate, verifiable full-time employment, as approved by the probation officer, or must be actively searching for employment.
4. The defendant shall not associate with anyone using, possessing, or having been convicted of possessing controlled substances, nor with any ex-felons, without first obtaining the permission of the probation officer.

Judgment--Page 5 of 6  
Defendant: RYAN JAY PETTEY  
Case Number: 1:01-CR-218-03

### CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS:	\$100.00	\$300.00	\$

- ☐ The determination of restitution is deferred until \_\_\_\_\_. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.
- ☐ The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid in full prior to the United States receiving payment.

<u>Name of Payee</u>	<u>* Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
	\$	\$	

TOTALS	\$	\$
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- ☐ If applicable, restitution amount ordered pursuant to plea agreement \$\_\_\_\_\_
- ☐ The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- ☒ The court determined that the defendant does not have the ability to pay interest, and it is ordered that:
- ☒ the interest requirement is waived for the ☒ fine and/or ☐ restitution.
- ☐ the interest requirement for the ☐ fine and/or ☐ restitution is modified as follows:

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

Judgment--Page 6 of 6

Defendant: RYAN JAY PETTEY

Case Number: 1:01-CR-218-03

**SCHEDULE OF PAYMENTS**

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☒ Lump sum payment of \$ \$100.00 due immediately, balance due
- ☒ not later than the term of defendant's supervised release, at a rate of \$10.00 per month, or
- ☐ in accordance with ☐ C, ☐ D, or ☐ E below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ E below); or
- C ☐ Payment in \_\_\_\_\_ (e.g., equal, weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in \_\_\_\_\_ (e.g., equal, weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
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Defendant Name, Case Number, and Joint and Several Amount:

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- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

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